

November 25, 2014

VIA EMAIL

Bill Honig and Nancy McTygue, Co-Chairs
History-Social Science Subject Matter Committee
Instructional Quality Commission
1430 N Street, Suite #5111
Sacramento, CA 95814
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RE: FAIR Education Act and 2014-2015 History-Social Science Framework

Dear Co-Chairs Honig and McTygue:

As a trustee on the Berkeley Unified School District's Board of Education and the Superintendent of Schools, we are writing to strongly urge this commission to amend the current draft of the History Social-Science curriculum framework to reflect the rich contributions of lesbian, gay, bisexual and transgender (LGBT) individuals and people with disabilities and to insure both communities are fairly represented in history and social studies lessons in compliance with the Fair, Accurate, Inclusive and Respectful (FAIR) Education Act ("SB48").

At Berkeley Unified, we are committed to creating a safe and positive school climate where all students can succeed. Part and parcel of this is ensuring that all students see themselves reflected in the curriculum, and that all students have the opportunity to learn about the rich history of CA and the U.S.

SB 48 amended the Education Code to require that social science instruction include "the role and contributions of...lesbian, gay, bisexual, and transgender Americans, [and] persons with disabilities...to the economic, political, and social development of California and the United States of America." SB 48 also prohibits discrimination based on sexual orientation and gender identity in textbooks, classroom materials and school-sponsored activities. School districts like ours are looking to the History Social-Science Framework for guidance about when to sequence the contributions of LGBT people and events in our history lessons. Inclusion of the contributions of LGBT people and events in the HSS Framework will provide the needed guidance to us as a governing body as we seek to adopt instructional materials that will aid our educators in providing this content to our students.

We have reviewed the current draft of the Framework and do not believe that it succeeds in realizing the intent of SB48. For example, we are concerned that the only two individuals who are specifically mentioned are both gay males from the 1970s in San Francisco. The FAIR Education Act requires that the curriculum include lesbian, gay, bisexual and transgender contributions, yet lesbian, bisexual and transgender people are all absent. LGBT history likewise encompasses the racial, ethnic, socioeconomic, and gender diversity that make up our country, and it is critical that our students understand this.

Similarly, it is essential that we take a transformational approach to the teaching of history, laying the groundwork in the primary grades and building on that foundation when teaching U.S. history in eighth and eleventh grades. Specifically, I believe that the most essential moments and people to include in California's K-12 History-Social Science Framework are:

Second Grade: Teach our students about LGBT families in the context of understanding family diversity as a contemporary and historical reality. We do that in Berkeley Unified School District through the implementation districtwide of the *Welcoming Schools* guide.

Fourth Grade: Include the central roles played by gender and sexual orientation in California's history as a site of rich, contested, and changing diversity. One example of how this is done in some classrooms in our district is through the discussion of gender role diversity during the Gold Rush, including the story of Stagecoach driver Charlie Parkhurst, who was assigned the female sex at birth, but lived and voted as a man. We can also teach about the important role of two-spirit people in Native Californian tribes and the related influence of colonization. Finally, we can also begin to set the stage for the state's unique role in the development of LGBT civil rights, as illustrated through leaders such as Harvey Milk and the story of Del Martin and Phyllis Lyon who formed the Daughters of Bilitis and then fifty years later became the first same-sex couple to legally marry in California.

Fifth Grade: In the 5th grade, through the *Welcoming Schools* lessons our teachers continue to address gender roles and stereotypes.

Eighth Grade: Students continue to address fundamental transformations in gender and sexuality in conjunction with nineteenth-century urbanization and industrialization. Some examples include discussing close social relations among men, as exemplified by the poetry of Walt Whitman and among women, as in "Boston Marriages," and documentation of alternative family structures including same-sex relationships within enslaved communities and during Reconstruction.

Eleventh Grade: Eleventh grade U.S. History offers the opportunity to delve more deeply into the LGBT equality movement. Some key points in history include:

- 1920s:** The Jazz Age and the Harlem Renaissance, coupled with growth in urban populations, promote increased individual freedom and acceptance.
- 1950:** The Mattachine Society, America's first national gay rights organization, is founded by Harry Hay, et al. The organization's social and educational work was highly influential upon the emerging gay rights movement of the 50s and 60s.
- 1953:** Executive Order 10450 signed by President Eisenhower bans gay and lesbian people from employment in the federal government and WWII persecution of LGBT service members ushers in "the Lavender Scare." Through the late 60s, thousands of gay and lesbian federal employees lost their jobs.
- 1955:** The Daughters of Bilitis, the first lesbian rights organization in the U.S., is founded by Phyllis Martin and Del Lyon in San Francisco (later the first couple to be married in CA).
- 1968:** The National Transsexual Counseling Unit in San Francisco becomes the first national transgender organization.
- 1969:** The Stonewall Riots take place at The Stonewall Inn, a Greenwich Village tavern in New York, on June 28. Members of the gay and transgender community rose up in protest against police raids in bars, sparking resistance to harassment coast to coast and energizing the emerging gay rights movement.
- 1970:** The first gay pride marches are held in San Francisco and other cities in the U.S. on the anniversary of the Stonewall riots.
- 1973:** The American Psychiatric Association removes the 1952 classification of homosexuality as a mental disorder in the "*Diagnostic and Statistical Manual of Mental Disorders*."

- 1977:** The community activist Harvey Milk is elected city and county supervisor in San Francisco, becoming one of the first openly gay public officials in the U.S. Milk is assassinated in 1978, shortly after assuming his position.
- 1981:** The lethal virus that becomes known as AIDS spreads through the gay community and among other marginalized groups in the U.S. The government is strongly criticized for its slow response.
- 1984:** Berkeley becomes the first city in the U.S. to recognize domestic partnerships between same-sex couples. In 1999, passed a domestic partner bill, making California the first state to legally recognize same-sex couples
- 1990:** At the Third Annual Inter-tribal Native American/ First Nations, Gay and Lesbian American Conference in Winnipeg, the umbrella-term Two-Spirit is proposed to describe people with third gender roles among American Indians.
- 1991:** The first Black Lesbian and Gay Pride celebration is held in Washington, D.C.
- 1993:** Massachusetts becomes the first state in the U.S. to ban discrimination against public school students based on sexual orientation.
- 1996:** The Clinton Administration enacts the Defense of Marriage Act (or DOMA), defining marriage as a legal union between a man and a woman. No state is required to recognize same-sex civil unions from other states. In 2011, President Barack Obama repeals the act.
- 2003:** The U.S. Supreme Court rules that sodomy laws are unconstitutional.
- 2008:** In June, California becomes the second U.S. state to legalize same-sex marriages, following Massachusetts in 2004. The issuance of marriage licenses came to a halt that November following the passage of Proposition 8, a state constitutional amendment rendering same-sex marriages illegal.
- 2012:** The American Psychiatric Association removes “Gender Identity Disorder” as a mental disorder in the “*Diagnostic and Statistical Manual of Mental Disorders*,” and reclassifies transgender identity as gender dysphoria.
- 2012:** In a landmark ruling on April 20, 2012, the Equal Employment Opportunity Commission announced that the federal sex discrimination law (Title VII) protects employees who are discriminated against because they are transgender or gender non-conforming.
- 2013:** The Supreme Court finds the Defense of Marriage Act unconstitutional in *Windsor v. United States*, and strikes down California’s Proposition 8 in *Hollingsworth v. Perry* rulings. Marriages of same-sex couples recommences in California. By late 2014, 35 states have legalized or are about to legalize marriage for same-sex couples.

Twelfth Grade: LGBT rights can be viewed through the role of the judicial, legislative and executive branches at the local, state and federal levels. Gains in relationship recognition, family law, anti-discrimination, and school safety are some examples.

We respectfully request that you consider amending the current draft of the History Social-Science framework to incorporate these key points in history. We appreciate your attention to this matter.

Sincerely,



Judy Appel
Trustee, Berkeley Unified School District Board of Education

Donald Evans
Superintendent, Berkeley Unified School District